

The Humble

PETITION

AND

PROPOSITIONS

OF THE

Lords and Commons assembled in Parliament.

Presented to the Kings most Excellent Majesty
at Oxford, by foure Lords, and eight Members of the
House of Commons, February 3. 1642.

With His Majesties Gracious Answer thereun-
to, and six Propositions propounded by Him to both
Houses, to be debated upon with the rest, at the Treaty.

Ordered by the Lords and Commons that these be printed and published.

John Browne Cler. Parl.



The humble Desires and Propositions of the Lords and Commons
in Parliament assembled, tendered unto his Majesty

February 1. 1642



WE Your Majesties most humble and faithfull Subjects the
Lords and Commons in Parliament assembled, having in
our thoughts the Glory of God, Your Majesties Honour,
and the Prosperity of Your People, and being most grie-
vously afflicted with the pressing Miseries and Calamities
which have overwhelmed Your two Kingdoms of England
and Ireland, since Your Majestie hath, by the perswasion
of evil Councillours, withdrawn Your self from the Par-
liament, raised an Army against it, and by force thereof protected Delinquents
from the Justice of it; constraining us to take Arms for The Defence of our Reli-
gion, Lawes, Liberties, Priviledges of Parliament, and for the sitting of the
Parliament in safety; which Fears and Dangers are continued and increased by
the Raising, Drawing together, and Arming of great numbers of Papists, under the
command of the Earle of Newcastle: likewise by making the Lord Herbert of
Ragland, and other known Papists, Commanders of great Forces, whereby many
grievous Oppressions, Rapines, and Cruelties have been, and are daily exercised up-
on the Persons and Estates of Your People; much innocent blood hath been spilt, and
the Papists have attained means of attempting, with hopes of effecting their mischie-
vous Designe of rooting out the Reformed Religion, and destroying the Professours
thereof. In the tender sense and compassion of these Evills, under which Your People
and Kingdome lie (according to the Duty which we owe to God, Your Majestie,
and the Kingdome for which we are trusted) Doe most earnestly desire, That an
end may be put to these great Distempers and Distractions, for the preventing of
that Desolation which doth threaten all Your Majesties Dominions; And as we
have rendered, and still are ready to render to Your Majesty that Subjection, Obedi-
ence and Service which we owe unto You, so we most humbly beseech Your Majesty
to remove the causes of this Warre, and to vouchsafen that Peace and Protection
which we and our Ancestours have formerly enjoyed under Your Majesty and
Your Royall Predecessours, and graciously to accept and grant these our most humble
Desires and Propositions.

I That

I. That Your Majesty will be pleased to disband all those Forces which we have raised, and that You would be pleased to returne to Your Parliament.

II. That you will leave Delinquents to a legall triall, and judgement of Parliament.

III. That the Papists may not only be disbanded, but disarmed according to Law.

IV. That Your Majesty will be pleased to give Your Royall assent unto the Bill fortaking away superstitious Innovations: To the Bill for the utter abolishing and taking away of all Archbishops, Bishops, their Chancellors and Commissaries, Deans, Subdeans, Deans and Chaplers, Archdeacons, Canons, and Prebendaries, and all Chaunters, Chancellors, Treasurers, Subtreasurers, Succentors, and Sacrists, and all Vicars Chorall, and Choristers, old Vicars and new Vicars of any Cathedrall or Collegiate Church, and all other their under Officers out of the Church of *England*: To the Bill against scandalous Ministers: To the Bill against Pluralities: And to the Bill for consultation to be had with Godly, Religious, and Learned Divines. That Your Majesty will be pleased to promise passe such other good Bills for settling of Church-Government, as upon consultation with the assembly of the said Divines shall be resolved on by both Houses of Parliament, and by them be presented to Your Majesty.

V. That Your Majesty having exprest in Your Answer to the nineteen Propositions of both Houses of Parliament, an hearty affection and intention for the rooting out of Popery out of this Kingdome, and that if both the Houses of Parliament can yet finde a more effectuall course to disable Jesuits, Priests, and Popish Recusants from disturbing the State, or deluding the Laws, that You would willingly give Your consent unto it; That You would be graciously pleased for the better discovery and speedier conviction of Recusants, that an Oath may be established by Act of Parliament, to be administred in such manner as by both Houses shall be agreed on, wherein they shall abjure and renounce the Popes Supremacy, the Doctrine of Transubstantiation, Purgatory, Worshipping of the consecrated Host, Crucifixes and Images, and the refusing the said Oath, being rendered in such manner as shall be appointed by Act of Parliament, shall be a sufficient conviction in Law of Recusancy. And that Your Majesty will be graciously pleased to give Your Royall assent unto a Bill for the Education of the children of

Protestants in the Protestant Religion. That for the more effectuall execution of the Laws against Popish Reculants, Your Majesty would be pleased to consent to a Bill for the true levying of the Penalties against them, and that the same Penalties may be levied and disposed of in such manner as both Houses of Parliament shall agree on, so as your Majesty bee at no losse : And likewise to a Bill, whereby the practice of Papists against the State may be prevented, and the Law against them duly executed.

VI. That the Earle of *Brisfoll* may bee removed from Your Majesties Councils, and that both he and the Lord *Herbert*, eldest son to the Earle of *Worcester*, may likewise be restrained from comming within the Verge of the Court; and that they may not beare any Office, or have any Imployments concerning State or Common-wealth.

VII. That Your Majesty will be graciously pleased by Act of Parliament to settle the *Militia* both by Sea and Land, and for the Forts and Ports of the Kingdome in such a manner as shall be agreed on by both Houses.

VIII. That Your Majesty wilbe pleased by Your Letters Patents, to make Sir *Iohn Brampton* chief Justice of Your court of Kings Bench, *William Lenthall* Esquire, the now Speaker of the Commons House, Master of the Rolls; and to continue the Lord chief Justice *Banks* chief Justice of the Court of Commons Pleas, and likewise to make Master Serjeant *Wild*, chief Baron of your Court of Exchequer, and that Master Justice *Bacon* may bee continued, and Master Serjeant *Rolles* and Master Serjeant *Atkins* made Justices of the Kings Bench.

That M. Justice *Rieves* and M. Justice *Foster* may be continued, and M. Serjeant *Phesant* made one of the Justices of Your Court of Common Pleas. That M. Serjeant *Creswell*, M. *Samuel Brown*, and M. *Iohn Puleston* may be Barons of the Exchequer; and that all these, and all the Judges of the same Courts for the time to come, may hold their places by Letters Patents under the Great Seal, *Quam diu se bene gesserint*. And that the severall persons not before named, that doe hold any of these places before mentioned, may be removed.

IX. That all such persons as have been put out of the Commissions of Peace, or *Oyer and Terminer*, or from being *Custodes Rotularum*, since the first day of April 1642. (other then such as were put out by desire of both, or either of the Houses of Parliament) may againe be put into those Commissions and Offices, and that such persons may be put out

of those Commissions and Offices, as shall be excepted against by the Houses of Parliament.

X. That Your Majesty will be pleased to passe the Bill now presented to your Majesty, to vindicate and secure the Priviledges of Parliament from the ill consequence of the late President in the charge and proceeding against the Lord *Kimbolton*, now Earle of *Manchester*, and the five Members of the House of Commons.

XI. That your Majesties Royall assent may be given unto such Acts as shall be advised by both Houses of Parliament, for the satisfying and paying the Debts, and Damages, wherein the two Houses of Parliament have engaged the publique Faith of the Kingdome.

XII. That your Majesty will be pleased according to a gracious answer heretofore received from you, to enter into a more strict Alliance with The States of the United Provinces, and other neighbour Princes and States of the Protestant Religion, for the defence and maintenance thereof against all designs and attempts of the Popish and Jesuiticall Faction to subvert and suppress it, whereby your Subjects may hope to bee free from the mischiefes which this Kingdome hath endured, through the power which some of that party have had in your Council, and will be much encouraged in a Parliamentary way, for your aid and assistance in restoring your Royall Sister and the Prince Elector to those Dignities and Dominions which belong unto them, and the relieving the other distressed Protestant Princes, who have suffered in the same cause.

13 That in the Generall pardon that your Majesty hath been pleased to offer to your Subjects, all offences and misdemeanours, committed before the tenth of *January* 1641. which have been or shall be questioned or proceeded against in Parliament, upon complaint in the House of Commons, before the tenth of *January*, 1643. shall be excepted, which offences and misdemeanours shall neverthelesse be taken and adjudged to be fully discharged against all other inferiour Courts; That likewise there shall be an exception of all offences committed by any person or persons which hath or have had any hand or practise in the Rebellion of *Ireland*, which hath or have given any Counsell, Assistance or Encouragement to the Rebels there, for the maintenance of that Rebellion, as likewise an exception of *William* Earle of Newcastle and *George* Lord *Digby*.

14 That your Majesty will be pleased to restore such Members of either House of parliament to their severall places of Service and

ment; out of which they have been purged the beginning of this parliament, that they may receive satisfaction and reparation for those places, and for the profits which they have lost by such removall, upon the petition of both Houses of parliament. And that all others may be restored to their Offices and Employments, who have been put out of the same upon any displeasure conceived against them for any assistance given to both Houses of parliament, or obeying their Commands, or forbearing to leave their attendance upon the parliament without licence, or for any other occasion arising from these unhappy differences betwixt your Majesty and both Houses of parliament, upon the like petition of both Houses.

These things being granted and performed, as it hath alwaies beene our hearty prayer, so shall we be enabled to make it our hopefull endeavour, that your Majesty and your people may enjoy the blessings of peace, truth, and justice; the Royalty and greatnesse of your Throne may be supported by the Loyall and honourfull affections of your people, their Liberties, and privileges maintained by your Majesties protection and Justice, and this publique honour and happinesse of your Majesty, and all your Dominions, communicated to other Churches and States of your alliance, and derived to your Royall posterity, and the future generations in this Kingdome for ever.

His Majesties Answer to the Petition.

IF his Majestie had not given up all the faculties of his soul to an earnest endeavour of a Peace and Reconciliation with his People, or if he would suffer himselfe by any provocation to be drawne to a sharpnesse of Language at a time when there seems somewhat like an Overture of Accommodation, he could not but resent the heaviest charges upon him in the preamble of these Propositions, and would not suffer himselfe to be reproached with protecting, or delinquency, by force from Justice (his Majesties desire hath alwaies been, that all men should be tried by the knowne Law, and having been refused it) with raising an Army against his Parliament, and to be told that Armes have beene taken up against him for defence of Religion, Lawes, Liberties, privileges of Parliament, and for sitting of the Parliament in safety, with many other particulars in that preamble, so often and so fully answered by his Majesty, without remembering the world, if the time and circumstances of raising these Armes against him, when his Majesty was so far from being in a condition to invade other mens Rights, that he was not able to maintaine and defend his owne from violence, and without telling his good Subjects that their Religion (the true Protestant Religion, in which his Majesty was borne, hath faithfully lived, and to which he will dye) their Lawes, Liberties, Priviledges, and safety of Parliament

were so amply settled and established, or offered to be so by his Majesty, before any
 my was raised against him, & long before any raised by him for his defence, that if
 thing had been desired but that peace and protection which his Subjects and their An-
 cestors had in the best times enjoyed under his Majesty, or his Royall Predecessors,
 this mis- understanding and distance between his Majesty and his people, and this ge-
 nerall misery and distraction upon the face of the whole Kingdome, had not been may
 the discourse of Christendome; but his Majesty will forbear any expressions of his
 teaknesse, or of a sense of his owne sufferings, but if it be possible, the memory thereof
 may be lost to the world, and therefore though many of the Propositions presented to
 his Majesty by both Houses, appeare to him very derogatory from, and destructive
 to his just Power and Prerogative, and no way beneficiall to his Subjects, few of them
 being already due to them by the Lawes established, (and how unparliamentary is it
 by armes to require new Lawes, all the world may judge) yet because these may bee
 waived or modified, and many that were in doubt, all in them cleared and ex-
 plained (upon debate) his Majesty is pleased (if such is his sense of the miserie of his
 Kingdome, suffers by this unseasonable war, and his earnest desire to remove them by
 a happy Peace) That a speedy time and place be agreed upon, for the meeting of such
 Persons as his Majesty and both Houses shall appoint, to discuss these Propositions
 and such others here following, as his Majesty shall propose to them.

1. That his Majesties own Revenue, Magazines, Towns, Forts, and Ships,
 which have been taken or kept from him by force, bee forth with restored un-
 to him.

2. That whatsoever hath been done or published contrary to the knowne
 Lawes of the Land, and derogatory to his Majesties legall and knowne Po-
 wer and rights, be renounced and recalled; That no seed may remaine for
 the like to spring out of for the future.

3. That whatsoever illegall Power hath been claimed and exercised by
 over his Subjects, as imprisoning their persons without Law, stopping their
 Habeas Corpusses, and imposing upon their Estates without Act of Parliament,
 &c. either by both or either House, or any Committee by both or either, or
 by any persons appointed by any of them, be disclaimed; and all such persons
 so committed, forthwith discharged.

4. That as his Majesty will readily consent (having done so heretofore)
 to the execution of all Lawes already made, & to any good Acts to be made for
 the suppressing of Popery, and for the firme settling of the Protestant Reli-
 gion now established: So hee desires that a good Bill may bee framed for
 better preserving of the Booke of Common prayer from the scorne and vio-
 lence of Brownists, Anabaptists, and other Sectaries, with such clauses for
 the ease of tender consciences, as his Majesty hath formerly offered.

5. That all such persons as upon the Treaty shall bee excepted out of the
 generall pardon, shall be tried per pares, according to the usual course and
 knowne Law of the Land, and that it be left to that either to acquit or con-
 demne them.

that a cessation of Armes, and a free Trade of all his Ma-
jesty's Subjects, be fully agreed upon

and desire of his Majesty he hopes will be so cheerfully entertain-
ed, that a speedy and blessed peace may be accomplished; if it shall be reje-
cted, insisting upon unreasonable circumstances, be made impossible,
he hopes God in his mercy to this Nation will not suffer the guilt of
blood which will be shed, and the desolation which must follow, will lie
at the heads of the refusers.

However, his Majesty is resolved, through what accidents soever hee
shall be compelled to recover his Right, & with what prosperous success he
shall please God to bless him, that by his earnest constant endeavours
he will restore and promote the true Protestant Religion, and by his govern-
ment according to the known lawes of the land, and upholding the just privi-
leges of Parliament, according to his frequent protestations made before
God, which he will alwayes inviolably observe, the world
shall see that he hath undergone all these difficulties and hazards for the de-
fence and maintenance of these. The zealous preservation of which, his Ma-
jesty knows, is the onely foundation and meanes for the true happi-
ness of him and his people.

FINIS.